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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,522	04/06/2005	Norbert Heske	289-PDD-03-08 US	6406
79990 7590 06/01/2009				
C. R. Bard, Inc. Bard Peripheral Vascular, Inc. 1415 W. 3rd Street P.O. Box 1740 Tempe, AZ 85280-1740				
EXAMINER				
LLOYD, EMILY M				
ART UNIT		PAPER NUMBER		
3736				
MAIL DATE		DELIVERY MODE		
06/01/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary

Application No.

10/500,522

Applicant(s)

HESKE ET AL.

Examiner

EMILY M. LLOYD

Art Unit

3736

All participants (applicant, applicant's representative, PTO personnel):

(1) EMILY M. LLOYD.(3) Ronald Aust.(2) Max Hindenburg.

(4) ____.

Date of Interview: 28 May 2009.

Type: a) ☐ Telephonic b) ☐ Video Conference

c) ☒ Personal (copy given to: 1) ☐ applicant 2) ☐ applicant's representative)

Exhibit shown or demonstration conducted: d) ☒ Yes e) ☐ No.

If Yes, brief description: The biopsy device and demonstrations of the various methods of its use were shown.

Claim(s) discussed: 96.

Identification of prior art discussed: US 4989614 (Dejter, Jr. et al.).

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The Examiner's interpretation of the prior art was discussed. Upon cursory review, it appears that the cutting sheath limitation may overcome the use of Dejter, Jr. et al. in the lack of unity. However, the lack of unity and prior art interpretation will be reviewed upon formal entry into the case.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/Max Hindenburg/
Supervisory Patent Examiner, Art Unit 3736